

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS

State Building Code Appeals Board<sup>1</sup>  
Docket No. 05-335

|                                 |   |
|---------------------------------|---|
| Thomas Galvin,                  | ) |
| Appellant,                      | ) |
|                                 | ) |
| v.                              | ) |
|                                 | ) |
| Town of Andover and Christopher | ) |
| Clemente,                       | ) |
| Appellees                       | ) |

**BOARD'S RULING ON APPEAL**

**Procedural History**

This matter came before the State Building Code Appeals Board ("the Board") on the Appellant's appeal filed pursuant to 780 CMR 122.1. In accordance with 780 CMR 122.3, the Appellant asks the Board to grant a variance from 1014.6.4 (Spiral Stairways) of the Massachusetts State Building Code ("MSBC") for 96 Main Street, Andover, MA. In accordance with MGL c. 30A, §§ 10 and 11; MGL c. 143, §100; 801 CMR 1.02 et. Seq.; and 780 CMR 122.3.4, the Board convened a public hearing on December 7, 2006 where all interested parties were provided with an opportunity to testify and present evidence to the Board. The Appellant appeared for the hearing pro se. There was no representative present from the Town of Andover Building Department and the Town of Andover Fire Department.

**Discussion**

Motion was made to approve the Appellants request for a variance from section 780 CMR 1014.6.4 of the MSBC to allow a spiral staircase to serve as a second means of egress at 96 Main Street. The Town of Andover Building Department does not object to this Boards approval of this variance and there will be an increase in safety because a

---

<sup>1</sup> This is a concise version of the Board's decision. You may request a full written decision within 30 days of the date of this decision. Requests must be in writing and addressed to: Department of Public Safety, State Building Code Appeals Board, Program Coordinator, One Ashburton Place, Room 1301, Boston, MA 02108.

second means of egress will be added. The variance is granted with the following stipulations, the stairway must have an open grate design which will discourage the accumulation of snow and the Appellant must install two in ground bollards on the north driveway between the spiral stairway and the existing driveway in order to protect the stairway. Motion carried 3-0.

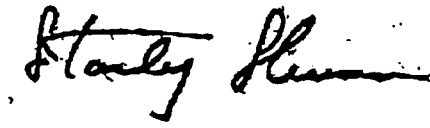
**Conclusion**

The Appellant's request for variance from section 780 CMR 1014.6.4 of the MSBC is hereby **GRANTED**.

**SO ORDERED.**

  
HARRY SMITH

  
JACOB NUNNEMACHER

  
STANLEY SHUMAN

DATED: January 18, 2007

*\* In accordance with M.G.L. c. 30A § 14, any person aggrieved by this decision may appeal to the Superior Court within 30 days after the date of this decision.*